IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.5720 OF 2005
IN
FIRST APPEAL NO.1264 OF 2006

M/s Centure Gems ...Applicant
Vs.
E.S.I.C. ...Respondent

Shri M.S. Topkar for the Applicant.
Shri H.V. Mehta for the Respondent.

CORAM : A. S. OKA, J.
DATE : JUNE 15, 2006.

P.C.:

1. Heard the learned Advocates appearing for the parties.

2. The Application made by the Appellant/Applicant under section 75 of the Employees State Insurance Act, 1948 has been rejected by the learned Judge of the E.S.I. Court. The Advocate appearing for the Applicant submitted that 50% of the amount demanded by the Respondent is already deposited with the E.S.I. Court during the pendency of the Application.

3. The Application made by the Applicant under section 75 has been rejected on merits. Therefore, no interim relief can be granted as regards demand made

on the basis of order passed under section 45A of the said Act.

4. Fifty percent of amount of demand has been deposited by the Applicant with E.S.I. Court. The Respondent is permitted to withdraw the said amount subject to final outcome of the Appeal. Time of eight weeks is granted to the Applicant to deposit the balance amount of demand with the Respondent. The deposit of the amount by the Applicant will be subject to final outcome of the Appeal. The Respondent will be entitled to take coercive steps only if the balance amount is not deposited within eight weeks.

5. Subject to observations made above, Application is rejected.

JUDGE